
By: **Delegates King, Boschert, Bozman, Dumais, Elmore, Gilleland,
Goodwin, Gordon, Gutierrez, Heller, Howard, Hurson, Kaiser, Myers,
Owings, Patterson, Ramirez, Ross, Simmons, and ~~F. Turner~~ F. Turner,
and Cryor**

Introduced and read first time: February 5, 2004
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 27, 2004

CHAPTER _____

1 AN ACT concerning

2 **Education - Students with Disabilities - High School Diploma by**
3 **Examination**

4 FOR the purpose of prohibiting the State Board of Education from requiring certain
5 students with disabilities seeking to obtain a high school diploma by
6 examination to withdraw from a certain full-time school program before taking
7 the examination; authorizing a certain student with disabilities to change the
8 student's individualized education program to indicate that preparation for and
9 the taking of a certain examination is part of the student's transition plan; and
10 generally relating to students with disabilities obtaining a high school diploma
11 by examination.

12 BY repealing and reenacting, with amendments,
13 Article - Education
14 Section 7-206
15 Annotated Code of Maryland
16 (2001 Replacement Volume and 2003 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Education**

2 7-206.

3 (a) (1) An individual may obtain a high school diploma by examination as
4 provided in this section if the individual:

5 [(1)] (I) Has not obtained a high school certificate or diploma;

6 [(2)] (II) Has resided in this State or on a federal reservation in this
7 State for at least 3 months, except that the State Board may waive this residence
8 requirement if it considers the waiver justified;

9 [(3)] (III) Is 16 years old or older; and

10 [(4)] (IV) [Has] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
11 SUBSECTION, HAS withdrawn from a regular full-time public or private school
12 program for at least 3 months, except that the State Board may waive the 3-month
13 withdrawal requirement if the State Board considers the waiver justified.

14 (2) A STUDENT WITH A DISABILITY WHO RECEIVES SPECIAL EDUCATION
15 AND RELATED SERVICES SEEKING TO OBTAIN A HIGH SCHOOL DIPLOMA BY
16 EXAMINATION MAY:

17 (I) NOT BE REQUIRED TO WITHDRAW FROM A REGULAR
18 FULL-TIME PUBLIC OR PRIVATE SCHOOL PROGRAM BEFORE TAKING THE
19 EXAMINATION; AND

20 (II) CHANGE THE STUDENT'S INDIVIDUALIZED EDUCATION
21 PROGRAM TO INDICATE THAT PREPARATION FOR AND THE TAKING OF AN
22 EXAMINATION TO OBTAIN A HIGH SCHOOL DIPLOMA IS PART OF THE STUDENT'S
23 TRANSITION PLAN.

24 (b) The State Board shall examine individuals for a high school diploma at
25 least twice each year at places throughout this State that are reasonably convenient
26 for the applicants.

27 (c) The examination shall:

28 (1) Be offered in appropriate high school subject areas; and

29 (2) Be of a comprehensive nature as determined by the State Board.

30 (d) An individual who fails an examination may take retests.

31 (e) A member of the armed forces may earn the Maryland high school diploma
32 by taking the examinations furnished by the United States Armed Forces Institute
33 and given by the appropriate service officer.

34 (f) The diploma shall be awarded in accordance with the rules and regulations
35 adopted by the State Board.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2004.